

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

07-CV-6959 (DAB)

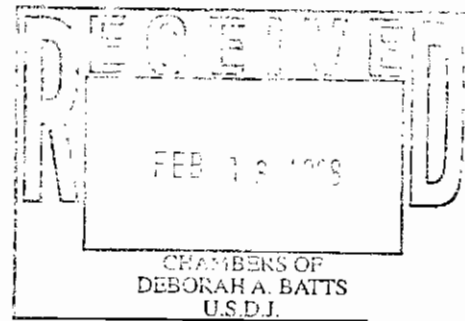
NOMINATION DI ANTONIO E PAOLO  
GENSINI S.N.C.,

Plaintiff,

STIPULATION AND  
~~PROPOSED~~ ORDER

-v-

ANB  
2/21/08



H.E.R. ACCESSORIES LTD., PAN OCEANIC  
GROUP, LLC, RICHARD TERZI, HYMIE  
ANTEBY, SAM ANTEBY, JACK ANTEBY,  
CLAIRE'S BOUTIQUE'S INC., CLAIRE'S  
STORES, INC., SOCORRO ECHEVERRIA,  
d/b/a DEAL-IN MARKETING, AGC INC.,  
THOSE CHARACTERS FROM CLEVELAND,  
INC., AMERICAN GREETINGS  
CORPORATION, ARTLIST INTERNATIONAL,  
INC., ARTLIST INTERNATIONAL USA, INC.,  
DIC I CORPORATION d/b/a DIC  
ENTERTAINMENT CORPORATION, HEARST  
HOLDINGS, INC., FLEISCHER STUDIOS,  
INC., KING FEATURES SYNDICATE,  
HOUGHTON MIFFLIN COMPANY,  
UNIVERSAL STUDIOS LICENSING LLLP,  
NINTENDO OF AMERICA, INC., JAMES K.  
BENTON, SANRIO COMPANY, LTD., SANRIO  
INC., VIACOM INTERNATIONAL, INC., JOHN  
DOES 1-50 AND XYZ COMPANIES 1-50,

Defendants.

X

The parties hereto, by and between the undersigned counsel, hereby stipulate as follows:

Defendants consent to plaintiff's filing, pursuant to Fed. R. Civ. P. 15(a), of its proposed  
Second Amended Complaint and Jury Demand in this action naming Nomination S.R.L. and  
Nomination USA, Inc., as additional plaintiffs to this action. A true and correct copy of the  
proposed Second Amended Complaint and Jury Demand is attached hereto as Exhibit A.

All parties hereto, by the undersigned counsel, hereby further stipulate and agree that this  
amendment of plaintiff's complaint shall not prejudice the motion to dismiss filed pursuant to

Fed. R. Civ. P. 12(b)(6) by certain defendants herein, which notion is currently *sub judice*. Such motion shall be deemed to have been made *nunc pro tunc* as to all claims asserted by all plaintiffs in the Second Amended Complaint against the moving defendants. No defendants that filed the aforementioned motion to dismiss shall be required to answer or otherwise respond to the Second Amended Complaint until the pending motion to dismiss is resolved. All other defendants that have previously served Answers to plaintiffs First Amended Complaint shall have ten (10) business days to serve their respective Answers from the date the annexed Second Amended Complaint is filed with the Court, following approval of this Stipulation by the Court.

Dated: February 7, 2008

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*Attorneys for Plaintiff  
Nomination di Antonio e Paolo Gensini, S.N.C.*

SO ORDERED:

  
U.S.D.J. 2/21/08